By:  Price, et al. H.B. No. 2059

     (Senate Sponsor - Zaffirini, et al.)

(In the Senate - Received from the House April 17, 2023; May 2, 2023, read first time and referred to Committee on Health & Human Services; May 11, 2023, reported favorably by the following vote: Yeas 9, Nays 0; May 11, 2023, sent to printer.)

COMMITTEE VOTE

                 Yea Nay Absent  PNV

Kolkhorst         X

Perry             X

Blanco            X

Hall              X

Hancock           X

Hughes            X

LaMantia          X

Miles             X

Sparks            X

A BILL TO BE ENTITLED

AN ACT

relating to mental health first aid training provided by local mental health authorities and local behavioral health authorities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 1001.201, Health and Safety Code, is amended to read as follows:

Sec. 1001.201.  DEFINITIONS.  In this subchapter:

(1)  "Child-care facility" has the meaning assigned by Section 42.002, Human Resources Code.

(2)  "Educator" means a person who is required to hold a certificate issued under Subchapter B, Chapter 21, Education Code.

(3)  "First responder" has the meaning assigned by Section 421.095, Government Code.

(4)  "Institution of higher education" has the meaning assigned by Section 61.003, Education Code.

(5)  "Local behavioral health authority" means an authority designated by the commission under Section 533.0356.

(6) [~~(2)~~]  "Local mental health authority" has the meaning assigned by Section 531.002.

(7)  "Open-enrollment charter school" and "private school" have the meanings assigned by Section 5.001, Education Code.

(8) [~~(3)~~]  "Regional education service center" means a regional education service center established under Chapter 8, Education Code.

(9) [~~(4)~~]  "School district employee" means a person employed by a school district who regularly interacts with students through the course of the person's duties, including an educator, a secretary, a school bus driver, or a cafeteria worker.

(10) [~~(5)~~]  "School resource officer" has the meaning assigned by Section 1701.601, Occupations Code.

[~~(6)  "University employee" means a person employed by a public or private institution of higher education who regularly interacts with students enrolled at the university through the course of the person's duties.~~]

SECTION 2.  Section 1001.202, Health and Safety Code, is amended to read as follows:

Sec. 1001.202.  GRANTS FOR TRAINING OF MENTAL HEALTH FIRST AID TRAINERS. (a) To the extent money is [~~funds are~~] appropriated to the commission [~~department~~] for that purpose, the commission [~~department~~] shall make grants to local mental health authorities or local behavioral health authorities to contract with persons approved by the commission [~~department~~] to train employees or contractors of the authorities as mental health first aid trainers.

(b)  The commission [~~department~~] shall make each grant to a local mental health authority or local behavioral health authority under this section in the [~~an~~] amount the commission determines necessary to cover the costs of training [~~equal to $1,000 times the number of~~] employees or contractors of the authority whose training as mental health first aid trainers will be paid by the grant.

(d)  The executive commissioner shall adopt rules to establish the requirements for a person to be approved by the commission [~~department~~] to train employees or contractors of a local mental health authority or local behavioral health authority as mental health first aid trainers. The rules must ensure that a person who is approved by the commission [~~department~~] is qualified to provide training in:

(1)  the potential risk factors and warning signs for various mental illnesses, including depression, anxiety, trauma, psychosis, eating disorders, substance use [~~abuse~~] disorders, and self-injury;

(2)  the prevalence of various mental illnesses in the United States and the need to reduce the stigma associated with mental illness;

(3)  an action plan for use by the employees or contractors that involves the use of skills, resources, and knowledge to assess a situation and develop and implement an appropriate intervention to help an individual experiencing a mental health crisis obtain appropriate professional care; and

(4)  the evidence-based professional, peer, social, and self-help resources available to help individuals with mental illness.

(e)  Two or more local mental health authorities or local behavioral health authorities may collaborate and share resources to provide training for employees or contractors of the authorities under this section.

SECTION 3.  Section 1001.203, Health and Safety Code, is amended to read as follows:

Sec. 1001.203.  GRANTS FOR TRAINING CERTAIN INDIVIDUALS [~~UNIVERSITY EMPLOYEES, SCHOOL DISTRICT EMPLOYEES, AND SCHOOL RESOURCE OFFICERS~~] IN MENTAL HEALTH FIRST AID. (a) To the extent money is [~~funds are~~] appropriated [~~to the department~~] for the [~~that~~] purpose, the commission [~~department~~] shall make grants to local mental health authorities or local behavioral health authorities to provide at no cost an approved mental health first aid training program[~~,~~] administered by mental health first aid trainers[~~, at no cost~~] to the following individuals at the discretion of the authorities:

(1)  [~~university employees,~~] school district employees[~~,~~] and school resource officers;

(2)  employees of:

(A)  an institution of higher education;

(B)  an open-enrollment charter school; or

(C)  a private school;

(3)  employees and contractors of a child-care facility;

(4)  youth;

(5)  individuals with direct and recurring contact with students;

(6)  first responders;

(7)   military service members, veterans, or immediate family members of military service members or veterans;

(8)  judges and attorneys, as applicable based on the practice of law of the judge or attorney; or

(9)  contractors of an institution of higher education, an open-enrollment charter school, a private school, or a school district.

(c)  The commission [~~department~~] shall grant [~~$100~~] to a local mental health authority or local behavioral health authority the amount the commission determines necessary to cover the costs of training each individual described by Subsection (a) [~~for each university employee, school district employee, or school resource officer~~] who successfully completes a mental health first aid training program provided by the authority under this section.

(d)  A mental health first aid training program provided by a local mental health authority or local behavioral health authority under this section must:

(1)  be conducted by a person trained as a mental health first aid trainer;

(2)  provide participants with the skills necessary to help an individual experiencing a mental health crisis until the individual is able to obtain appropriate professional care; and

(3)  include:

(A)  instruction in a five-step strategy for helping an individual experiencing a mental health crisis, including assessing risk, listening respectfully to and supporting the individual, and identifying professional help and other supports for the individual;

(B)  an introduction to the risk factors and warning signs for mental illness and substance use [~~abuse~~] problems;

(C)  experiential activities to increase participants' understanding of the impact of mental illness on individuals and families; and

(D)  a presentation of evidence-supported treatment and self-help strategies.

(e)  A local mental health authority or local behavioral health authority may contract with a regional education service center to provide under this section a mental health first aid training program to [~~university employees,~~] school district employees and contractors, [~~and~~] school resource officers, open-enrollment charter school employees and contractors, private school employees and contractors, and employees and contractors of an institution of higher education [~~under this section~~].

(f)  Two or more local mental health authorities or local behavioral health authorities may collaborate and share resources to develop and operate a mental health first aid training program under this section.

SECTION 4.  Section 1001.204, Health and Safety Code, is amended to read as follows:

Sec. 1001.204.  PLANS FOR MENTAL HEALTH FIRST AID TRAINING PROGRAMS. (a) Not later than July 1 of each even-numbered [~~state fiscal~~] year for which a local mental health authority or local behavioral health authority will seek a grant from the commission [~~department~~] under Section 1001.203, the authority shall submit to the commission [~~department~~] a plan demonstrating the manner in which grants made to the authority under that section will be used:

(1)  to train individuals in mental health first aid throughout the authority's local service area to maximize the number of children who have direct contact with an individual who has successfully completed a mental health first aid training program provided by the authority;

(2)  to meet the greatest needs of the authority's local service area, as identified by the authority; and

(3)  to complement existing resources and not duplicate established mental health first aid training efforts.

(b)  The commission [~~department~~] may not make a grant to a local mental health authority or local behavioral health authority under Section 1001.203 unless the commission [~~department~~] has evaluated a plan submitted by the authority under this section.

SECTION 5.  Section 1001.205, Health and Safety Code, is amended to read as follows:

Sec. 1001.205.  REPORTS. (a) Not later than September 30 of each year, a local mental health authority or local behavioral health authority shall provide to the commission [~~department~~] the number of:

(1)  employees and contractors of the authority who were trained as mental health first aid trainers under Section 1001.202 during the preceding fiscal year, the number of trainers who left the program for any reason during the preceding fiscal year, and the number of active trainers;

(2)  [~~university employees,~~] school district employees[~~,~~] and contractors, school resource officers, open-enrollment charter school employees and contractors, private school employees and contractors, and employees and contractors of an institution of higher education who completed a mental health first aid training program offered by the authority under Section 1001.203 during the preceding fiscal year categorized by:

(A)  local mental health authority or local behavioral health authority region;

(B)  [~~, university or~~] school district, open-enrollment charter school, private school, and institution of higher education, as applicable; [~~,~~] and

(C)  category of personnel;

(3)  child-care facility employees and contractors, youth, individuals with direct and recurring contact with students, first responders, judges, and attorneys [~~individuals who are not university employees, school district employees, or school resource officers~~] who completed a mental health first aid training program offered by the authority during the preceding fiscal year categorized by local mental health authority or local behavioral health authority region; and

(4)  military service members, veterans, and immediate family members of military service members and veterans who completed the veterans module or standard version of a mental health first aid training program offered by the authority during the preceding fiscal year categorized by local mental health authority or local behavioral health authority region and the training program completed.

(b)  Not later than December 1 of each year, the commission [~~department~~] shall compile the information submitted by local mental health authorities or local behavioral health authorities as required by Subsection (a) and submit a report to the legislature containing:

(1)  the number of authority employees and contractors trained as mental health first aid trainers during the preceding fiscal year, the number of trainers who left the program for any reason during the preceding fiscal year, and the number of active trainers;

(2)  the number of [~~university employees,~~] school district employees[~~,~~] and contractors, school resource officers, open-enrollment charter school employees and contractors, private school employees and contractors, and employees and contractors of an institution of higher education who completed a mental health first aid training program provided by an authority during the preceding fiscal year categorized by:

(A)  local mental health authority region or local behavioral health authority region;

(B)  [~~, university or~~] school district, open-enrollment charter school, private school, and institution of higher education, as applicable; [~~,~~] and

(C)  category of personnel;

(3)  the number of child-care facility employees and contractors, youth, individuals with direct and recurring contact with students, first responders, judges, and attorneys [~~individuals who are not university employees, school district employees, or school resource officers~~] who completed a mental health first aid training program provided by an authority during the preceding fiscal year categorized by local mental health authority or local behavioral health authority region;

(4)  the number of military service members, veterans, and immediate family members of military service members and veterans who completed the veterans module or standard version of a mental health first aid training program provided by an authority during the preceding fiscal year categorized by local mental health authority or local behavioral health authority region and the training program completed; and

(5)  a detailed accounting of expenditures of money appropriated for the purpose of implementing this subchapter.

(c)  The commission [~~department~~] shall develop and provide to local mental health authorities and local behavioral health authorities a form to be used for the reporting of information required under Subsection (a), including the reporting of each category of personnel described by that subsection.

SECTION 6.  Section 1001.206, Health and Safety Code, is amended to read as follows:

Sec. 1001.206.  LIABILITY. A person who has completed a mental health first aid training program offered by a local mental health authority or local behavioral health authority under this subchapter and who in good faith attempts to assist an individual experiencing a mental health crisis is not liable in civil damages for an act performed in attempting to assist the individual unless the act is wilfully or wantonly negligent.

SECTION 7.  The following sections of the Health and Safety Code are repealed:

(1)  Section 1001.2015; and

(2)  Section 1001.2031.

SECTION 8.  This Act takes effect September 1, 2023.

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